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Attorneys for Secured Creditor



Order Filed on July 12, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

| | |
|---------------------|---------------------------------------|
| In re: | Chapter 11 |
| Salvatore Marzella, | Case No. 20-24073-KCF |
| | Hearing Date: July 8, 2021 at 2:00 PM |
| Debtor. | Judge: Kathryn C. Ferguson |

**CONSENT ORDER RESOLVING PLAN OBJECTION AND OUTLINING THE
TREATMENT OF SECURED CREDITOR**

The relief set forth on the following pages, number two (2) through three (3) is hereby

ORDERED

DATED: July 12, 2021


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

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Debtor: Salvatore Marzella
Case No.: 20-24073-KCF
Caption of Order: **CONSENT ORDER RESOLVING PLAN OBJECTION AND
OUTLINING THE TREATMENT OF SECURED
CREDITOR**

The undersigned parties resolved JPMorgan Chase Bank, National Association's ("Secured Creditor") Amended Objection to Plan Confirmation, [ECF No. 53] (the "Objection") and addressed Salvatore Marzella's ("Debtor") treatment of Secured Creditor's proof of claim, Claims Register #7, with respect to real property located at 191 Round Hill Drive, Freehold, New Jersey 07728 (the "Claim") through Debtor's Chapter 11 Plan,

WHEREAS, Debtor anticipates being offered and accepting a deferment of missed mortgage payments ("Deferment") from Secured Creditor which would address arrears due outside the plan; and

WHEREAS, it is anticipated that a Deferment would bring Debtor's account with Secured Creditor contractually current; and

WHEREAS, Debtor and Secured Creditor acknowledge that Secured Creditor is processing the Deferment request and Debtor's arrears have not yet been resolved; and

WHEREAS, until a Deferment is finalized, Debtor's arrears due to Secured Creditor have not been cured or addressed to completion and remain a delinquency on Debtor's account; and

WHEREAS, Secured Creditor anticipates providing a Deferment and receiving the executed agreement from Debtor but it reserves the right to pursue this unresolved default in the event the Deferment is not offered or not accepted by the Debtor; and

THEREFORE the parties have consented to the entry of the within Order, and for good cause shown;

ORDERED AS FOLLOWS:

1. The Objection is hereby resolved by this order.
2. Secured Creditor shall be entitled to file a Certification of Default to address amounts set for in the Claim in the event that a Deferment is not finalized forty-

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Debtor: Salvatore Marzella
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five (45) days of confirmation regardless of which party's activity resulted in the incomplete status of a Deferment.

3. Secured Creditor may file an amended proof of claim to reflect the terms of the Deferment, should it be offered and accepted.
4. In the event the instant Chapter 11 bankruptcy case is dismissed or converted to another chapter under the bankruptcy code prior to finalized Deferment, the terms of the note and mortgage shall govern.

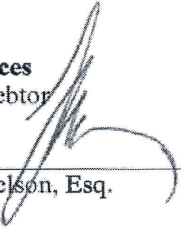
Consent to Form and Entry

McCalla Raymer Leibert Pierce, LLC
Attorney for the Secured Creditor

By: 
Phillip A. Raymond, Esq.

Date: 7.7.2021

Abelson Law Offices
Attorney for the Debtor

By: 
Steven J. Abelson, Esq.

Date: _____

In re:
Salvatore Marzella
Debtor

Case No. 20-24073-KCF
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Jul 12, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 14, 2021:

| Recip ID | Recipient Name and Address |
|----------|---|
| db | + Salvatore Marzella, 191 Round Hill Drive, Freehold, NJ 07728-8217 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 14, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 12, 2021 at the address(es) listed below:

| Name | Email Address |
|--------------------|---|
| Carol L. Knowlton | on behalf of Creditor Brian Allen cknowlton@gorskiknowlton.com |
| Charles Virginia | on behalf of Creditor Trustees of the New York City District Council of Carpenters Benefit Funds cvirginia@vandallp.com ecodispoti@vandallp.com;nmarimon@vandallp.com;jharras@vandallp.com |
| Christian Del Toro | on behalf of Creditor PNC BANK NATIONAL ASSOCIATION cdeltoro@martonelaw.com, bky@martonelaw.com |
| Denise E. Carlon | on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com |
| Lauren Bielskie | on behalf of U.S. Trustee U.S. Trustee lauren.bielskie@usdoj.gov |
| Melissa N. Licker | |

District/off: 0312-3

User: admin

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Date Rcvd: Jul 12, 2021

Form ID: pdf903

Total Noticed: 1

on behalf of Creditor JPMorgan Chase Bank National Association NJ_ECF_Notices@mccalla.com,
mccallaecf@ecf.courtdrive.com

Nicole M. Nigrelli

nnigrelli@ciardilaw.com

Phillip Andrew Raymond

on behalf of Creditor JPMorgan Chase Bank National Association phillip.raymond@mccalla.com,
mccallaecf@ecf.courtdrive.com

Regina Cohen

on behalf of Creditor Ally Capital rcohen@lavin-law.com ksweeney@lavin-law.com

Steven J. Abelson

on behalf of Debtor Salvatore Marzella sjaesq@atrbklaw.com atrbk1@gmail.com;r49787@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11